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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

FREDERIC LUBRON BIRGANS

CIVIL ACTION NO. 09-0926

VERSUS

SECTION P

STATE OF LOUISIANA, ET AL.

JUDGE ROBERT G. JAMES

MAG. JUDGE KAREN L. HAYES

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein [Doc. No. 23], and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record [Doc. No. 25];

IT IS ORDERED that plaintiff's civil rights complaint alleging false arrest and imprisonment and malicious prosecution be DISMISSED WITH PREJUDICE (to being asserted again if and when the *Heck v. Humphrey* conditions are met) as frivolous and for failing to state a claim on which relief may be granted pursuant to the provisions of 28 U.S.C. § 1915(e)(2).

MONROE, LOUISIANA, this 10 day of June, 2010.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE